

Danner, Ward

From: Carmen Santos <Santos.Carmen@epamail.epa.gov>
Sent: Wednesday, March 27, 2013 12:28 PM
To: Santos, Carmen
Subject: Fw: Important: School Cleanup Site - Seeking DTSC's Soil Cleanup Level for PCBs
Attachments: ACDEH_letter to Aspire_CAP_AP_L_2009-03-12.pdf

Carmen D. Santos
PCB Coordinator
RCRA Corrective Action Office (WST-5)
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"Think left and think right and think low and think high. Oh, the things you can think up if only you try!" Dr. Seuss

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 **Before printing this e-mail think if it is necessary. Think Green!**

----- Forwarded by Carmen Santos/R9/USEPA/US on 03/27/2013 12:27 PM -----

From: Carmen Santos/R9/USEPA/US
To: "Mark Malinowski",
Cc: "Thomas Booze", Patrick Wilson/R9/USEPA/US@EPA
Date: 11/09/2009 10:04 AM
Subject: Fw: Re: Important: School Cleanup Site - Seeking DTSC's Soil Cleanup Level for PCBs

Hi, Mark:

Sorry, I forgot to attach the ACDEH March 12, 2009 letter. That letter is now attached.

Regards,
Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----Forwarded by Carmen Santos/R9/USEPA/US on 11/09/2009 09:59AM -----

To: "Mark Malinowski"
From: Carmen Santos/R9/USEPA/US
Date: 11/09/2009 09:58AM
cc: "Thomas Booze", Patrick Wilson/R9/USEPA/US@EPA
Subject: Re: Important: School Cleanup Site - Seeking DTSC's Soil Cleanup Level for PCBs

Good Morning, Mark:

Thank you for your message.

Last week I called the Alameda County Department of Environmental Health (ACDEH) contact for the Aspire site in Oakland and found out that ACDEH did not approve the 0.39 ppm PCB cleanup level that Aspire proposed for

the site and claimed had been approved by ACDEH. ACDEH approved Aspires Corrective Action Plan (CAP) on March 12, 2009 with several conditions. One of these conditions is that Aspire would implement the most stringent of the three cleanup levels that Aspire had included in their CAP. The most stringent level is not 0.39 ppm but 0.13 ppm. Attached is the ACDEH March 12, 2009 letter approving the CAP with conditions.

Yes, in addition to PCBs there are other chemicals present at the site such as arsenic and BTEX. Please let me know if you still want the 0.13 ppm cleanup level to be the cleanup level for the Aspire site in Oakland.

Since we do not want to hold the letter to Aspire, USEPA's conditional approval of the Aspire cleanup plan will support the cleanup level that DTSC had previously approved for the Aspire site. This is the same cleanup level that ACDEH approved in the March 12, 2009 conditional approval letter. Please let me know as soon as possible if DTSC has a change of heart in reference to the cleanup level for the Aspire site. If DTSC does, then USEPA will need to discuss the issue with ACDEH since the 0.13 ppm is a condition of approval for the Aspire CAP. Thank you.

Sincerely,
Carmen

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----"Mark Malinowski" wrote: -----

To: Carmen Santos/R9/USEPA/US@EPA
From: "Mark Malinowski"
Date: 11/09/2009 08:05AM
cc: "Thomas Booze" , Patrick Wilson/R9/USEPA/US@EPA
Subject: Re: Important: School Cleanup Site - Seeking DTSC's Soil Cleanup Level for PCBs

Hello Carmen,

The draft Removal Action Workplan that DTSC had for the site identified a PCB cleanup goal of 0.13 ppm for PCBs. DTSC uses a cumulative risk evaluation and if PCBs are the only contaminant of concern, the proposed 0.39 ppm PCB cleanup level is within an acceptable risk range for the DTSC Schools Program and we would concur with use of 0.39 ppm as the PCB clean-up level for the site.

If additional contaminants of concern are present, DTSC would request a cumulative risk evaluation (cancer and non-cancer endpoints) to ensure the cumulative risk is less than 5 in one million (cancer endpoint). If you have any questions, please feel free to contact me. MM

Mark Malinowski, P.G.,
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Dept of Toxic Substances Control
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>>> 11/04/2009 4:39 PM >>>

Dear Mark,

Thank you for taking the time to talk with me earlier regarding the Aspire school site in Oakland. I appreciate you giving me a brief background of DTSC's past involvement with this site. The goal of my message is to get from DTSC a soil cleanup level for PCBs in soils for use at a school site in Oakland or obtain DTSC's concurrence on the PCB soil cleanup level that Aspire is proposing for their school site (1009 66th Avenue, Oakland).

Aspire contacted us regarding PCBs at the site and federal TSCA applies considering the history of the site. I understand that under different circumstances Aspire's cleanup would have been handled under the DTSC School Program and even then TSCA cleanup requirements would apply. However, the Alameda County Department of Environmental Health (ACDEH) is overseeing the cleanup at the Aspire school site.

As I mentioned, ACDEH approved a 0.39 ppm PCB cleanup level for soils at the Aspire site; and Aspire is proposing this cleanup level in the TSCA self implementing cleanup notification that they submitted to us in late October. Aspire has also proposed to pave most of the property.

Please confirm what PCB soil-cleanup level DTSC recommends for a school site. Would Aspire's proposed cleanup level of 0.39 ppm PCB soil cleanup level be within the health risk guidelines of DTSC's School Program? If this is the case, would DTSC concur on the cleanup level that Aspire proposed for the TSCA cleanup? Under TSCA and given the land use for the Aspire property, the cleanup level would be less than or equal to 1 mg / kg for soils. We want the PCB soil cleanup level that we approve for the Aspire site in Oakland is consistent with that which the DTSC School Program would require.

Please call me if you have any questions regarding this message.

I thank you for your courtesies and look forward to your reply.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

(See attached file: ACDEH_letter to Aspire_CAP_AP_L_2009-03-12.pdf)